



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.

1488.1040001/EKS/AJK

First Named Inventor or  
Application Identifier

Jing-Shan HU et al.

Title

Human Vascular Endothelial Growth Factor 3

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231☒

Fee Transmittal Form (e.g., PTO/SB/17)

(Submit an original, and a duplicate for fee processing)

☒

Specification

[Total Pages 49]

(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒

Drawing(s) (35 USC 113)

[Total Sheets 2]

4. ☒

Oath or Declaration

[Total Sheets 2]

a. ☐ Newly executed (original or copy)b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for  
continuation/divisional with Box 17 completed)  
[Note Box 5 below]

i.

☐

DELETION OF INVENTOR(S)

Signed statement attachment deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).5. ☒

Incorporation By Reference (useable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or  
declaration is supplied under Box 4b, is considered as being part of the  
disclosure of the accompanying application and is hereby incorporated by  
reference therein.6. ☐ Microfiche Computer Program (Appendix)7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all  
necessary)a. ☐

Computer Readable Copy

b. ☐

Paper Copy (identical to computer copy)

c. ☐

Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐

Assignment Papers (cover sheet &amp; document(s))

9. ☐37 CFR 3.73(b) Statement  
(where there is an assignee)☐ Power of Attorney10. ☐

English Translation Document (if applicable)

11. ☐Information Disclosure  
Statement (IDS)/PTO-1449☐ Copies of IDS Citations12. ☒

Preliminary Amendment

13. ☒Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)14. ☐

Small Entity Statement(s)

☐ Statement filed in prior  
application, Status still proper and  
desired15. ☐Certified Copy of Priority Document(s)  
(if foreign priority is claimed)16. ☒Other: 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply as  
Incorporating an Extension of Time.☒ Other:

Second Preliminary Amendment

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐

Continuation

☒

Divisional

☐

Continuation-in-part (CIP)

of prior application No.: 08/469,641

## 18. CORRESPONDENCE ADDRESS

☐Customer Number  
or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒Correspondence  
address below

NAME

STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

Attorneys at Law

ADDRESS

Suite 600, 1100 New York Avenue, N.W.

CITY

Washington

STATE

DC

ZIP CODE

20005-3934

COUNTRY

USA

TELEPHONE

(202) 371-2600

FAX

(202) 371-2540

NAME (Print/Type)

Eric K. Steffe

Registration No. (Attorney/Agent)

36,688

SIGNATURE

Date March 3, 1998

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments  
on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL

Note: Effective October 1, 1997,  
Patent fees are subject to annual revision.

Complete If Known

Application Number	
Filing Date	March 3, 1998
First Named Inventor	Jing-Shan HU
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	1488.1040001/EKS/AJK

TOTAL AMOUNT OF PAYMENT (\$ 790.00)

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge any deficiencies indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Name Account	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.16 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	\$790.00
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) \_\_\_\_\_

#### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
20	-20 = 0	X	00.00
Indep. Claims	3 - 3 = 0	X	00.00
Multiple Dependent Claims	-0-		00.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	22	203	11	Claims in excess of 20
102	82	202	41	Independent claims in excess of 3
104	270	204	135	Multiple dependant claim
108	82	209	41	Reissue independent claims over original patent
110	22	210	11	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \$790.00

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	206	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840	Requesting publication of SIR prior Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	476	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,610	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	226	Design issue fee	
144	670	244	336	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \_\_\_\_\_

### SUBMITTED BY

Typed or Printed Name

Eric K. Steffe

Signature

Date

March 3, 1998

### Complete (if applicable)

Reg. Number

36,688

Deposit Account User ID

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional application of:

Jing-Shan HU *et al.*

Appl. No. To Be Assigned (Based on prior U.S.  
Appl. No. 08/469,641, filed June 6, 1995)

Filed: HERewith (March 3, 1998)

For: **Human Vascular Endothelial  
Growth Factor 3**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1488.1040001/EKS/AJK

**Authorization To Treat A Reply As Incorporating An Extension Of Time  
Under 37 C.F.R. § 1.136(a)(3)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate of this petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe  
Attorney for Applicants  
Registration No. 36,688

Date: March 3, 1998  
1100 New York Avenue, N.W., Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

P:\USERS\AKAMAGE\CASES\1488\104-1\030398ex.inc  
SKGF Rev. 1/26/98 clp

A

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

SUITE 600

1100 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

03/03/98  
JCS 288  
ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JEROME A. GOLDSTEIN  
SAMUEL L. FOX  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
G. KEVIN TOWNSEND\*  
JOHN M. COVERT\*

LINDA E. ALCORN  
RAZ E. FLESHNER  
ROBERT C. MILLONIG  
STEVEN R. LUDWIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM\*  
KEITH KIND\*  
TIMOTHY J. SHEA, JR.\*  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
BARBARA A. PARVIS  
MICHAEL A. RAHMAN\*  
STEPHEN G. WHITESIDE\*  
NOEL B. WHITLEY\*

RICK A. TOERING\*  
JEFFREY T. HELVEY\*  
DUANE S. KOBAYASHI  
RICHARD A. DUNNING, JR.  
KIMBERLIN M. TOOHEY  
RALPH P. ALBRECHT  
HEIDI L. KRAUS\*  
JEFFREY R. KURIN\*  
CARL B. MASSEY, JR.\*  
RAYMOND MILLIEN\*  
PATRICK D. O'BRIEN\*  
BRIAN S. ROSENBLUM\*

DONALD J. FEATHERSTONE\*\*  
LAWRENCE B. BUGAISKY\*\*  
KAREN R. MARKOWICZ\*\*  
GRANT E. REED\*\*

\*BAR OTHER THAN D.C.

\*\*REGISTERED PATENT AGENTS

WRITER'S DIRECT NUMBER:

INTERNET ADDRESS:

March 3, 1998

**Box Patent Application**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Divisional Utility Patent Application Under 37 C.F.R. § 1.53(b)  
(Based on U.S. Appl. No. 08/469,641, filed: June 6, 1995)  
Appl. No. To Be Assigned; Filed: HERewith (March 3, 1998)  
For: **Human Vascular Endothelial Growth Factor 3**  
Inventors: Jing-Shan HU *et al.*  
Our Ref: 1488.1040001/EKS/AJK

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05 rev 1);
2. U.S. Divisional Utility Patent Application entitled:

**Human Vascular Endothelial Growth Factor 3**

and naming as inventors:

Assistant Commissioner for Patents  
March 3, 1998  
Page 2

Jing-Shan HU  
Henrik S. OLSEN, and  
Craig A. ROSEN

the application consisting of:

- a. A specification containing 49 total pages:
    - (i) 44 pages of description prior to the claims, including a sequence listing on pages 42 to 44;
    - (ii) 4 pages of claims (20 claims);
    - (iii) a one (1) page abstract;
  - b. 2 sheets of drawings: (Figures 1-2);
  - c. A copy of the executed Declaration, as filed in U.S. Appl. No. 08/469,651, filed June 6, 1995;
  - d. Our check No. 21242 for \$790.00 to cover:  
\$790.00 filing fee for patent application;
3. Preliminary Amendment;
  4. PTO Fee Transmittal Form PTO/SB/17;
  5. Second Preliminary Amendment;
  6. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3); and
  7. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Assistant Commissioner for Patents

March 3, 1998

Page 3

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe  
Attorney for Applicants  
Registration No. 36,688

EKS/AJK/neh  
Enclosures

P:\USERS\AKAMAGE\CASES\1488\104-1\030398sk.trl  
SKGF ver. 2/23/98 mac